

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

MICHAEL SIMMONS,

Petitioner,

v.

CASE NO. 2:09-CV-1077

JUDGE SARGUS

MAGISTRATE JUDGE ABEL

MICHAEL SHEETS, Warden,


Respondent.

**OPINION AND ORDER**

On February 23, 2011, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant petition for a writ of habeas corpus be dismissed. Doc. 17. Petitioner has filed objections to the Magistrate Judge's *Report and Recommendation*. Doc. 19. Petitioner objects to all of the Magistrate Judge's recommendations. He raises all of the same arguments he presented in his habeas corpus petition.

Pursuant to 28 U.S.C. § 636(b), this Court has conducted a de novo review. For the reasons detailed in the Magistrate Judge's *Report and Recommendation*, Petitioner's objections are **OVERRULED**. The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action hereby is **DISMISSED**.

**IT IS SO ORDERED.**

 3-16-2011  
EDMUND A. SARGUS, JR.  
United States District Judge